

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

ANGEL DAVID MORALES
VALLELLANES,
Plaintiff,

v.

JOHN POTTER, UNITED STATES
POSTMASTER GENERAL, ET ALS.,
Defendants.

CIVIL NO. 97-2459 (GAG)

DAMAGES BASED ON
RETALIATION AND
DISCRIMINATION; PROHIBITED
PERSONNEL PRACTICES; UNFAIR
LABOR PRACTICES; BREACH OF
COLLECTIVE BARGAINING
AGREEMENT

TRIAL BY JURY IS HEREBY
REQUESTED

MOTION TO REQUEST A PROTECTIVE ORDER

COMES NOW, plaintiff Angel David Morales-Vallellanes through his legal counsel and very respectfully inform this Honorable Court:

1. Last September 11, 2006 Defendant notified a letter by telecopier to confirm the pending depositions, also it reminded the request to Plaintiff to produce a copy of the following documents at his deposition:

- “1. *Name and addresses of all physicians that have provided medical treatment to Plaintiff Angel D. Morales from 1997 until present.*
2. *Medical Benefits History (Quarterly) from SSS detailing services provided from 1997 until present.*
3. *Copy of the Office of Safety Health Administration (OSHA) regarding discrimination at Postal Service.*
4. *Complete Office of Workmen’s Compensation (OWCP) payment stubs with deductions from 1997 until present.”*

2. On April 26, 2006 this Honorable Court ordered (docket 280) besides the taking of depositions that: “3. *No other type of discovery will be allowed*”.

3. A production of documents is part of the discovery proceedings, a brief examination of the

documents requested to Plaintiff at his deposition are a common request at a production of documents.

4. Defendant by requesting at this stage said request of documents is contrary to the Court's order and also oppressive, burdensome as it creates undue hardship to the Plaintiff due to the fact that Defendants is requesting documents from 1997 to present (**documents from the last nine years**).

5. Defendant mocks by said request of documents this Honorable Court's order to the extent that "*no other type of discovery will be allowed*".

6. A protective order should be issued to preclude Defendant to request Plaintiff the above mentioned production of documents.

WHEREFORE, it is respectfully requested from this Honorable Court to issue a protective order in favor of Plaintiff to preclude Defendant to request the production of documents aforementioned at the deposition in accordance to the order dated April 26, 2006 (docket number 280).

RESPECTFULLY SUBMITTED.

I HEREBY CERTIFY that on September 14, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following: **Fidel A. Sevillano-Del Río, Esq.**, Assistant U.S. Attorney, Federico Degetau Federal Build., 150 Carlos Chardón Av., Hato Rey, Puerto Rico 00918.

S/MIGUEL E. MIRANDA-GUTIERREZ
MIGUEL E. MIRANDA-GUTIERREZ, ESQ.
ATTORNEY FOR PLAINTIFF
PMB 132, 255 Ave. Ponce de León, Suite 75
San Juan, Puerto Rico 00917-1919
TEL: (787) 282-0022
FAX: (787) 751-0883